

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE DISTRICT OF PUERTO RICO

IN THE MATTER OF:

CARABALLO TEJADA, LUIS ROSARIO

CASE NO. 04-01670 ESL

GARAY FLORES, IVETTE

Chapter 7

xxx-xx-5462

xxx-xx-5120

FILED & ENTERED ON 6/9/2004

Debtor(s)

DISCHARGE OF DEBTOR

It appearing that the debtor is entitled to a discharge, **IT IS ORDERED:** The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

San Juan, Puerto Rico, this 9 day of June, 2004.

BY THE COURT

Enrique S. Lamoutte
Enrique S. Lamoutte
U.S. Bankruptcy Judge

cc: all creditors

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

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4 **EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE**

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6 This court order grants a discharge to the person named as the debtor. It is
7 not a dismissal of the case and it does not determine how much money, if any, the
8 trustee will pay to creditors.

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10 Collection of Discharged Debts Prohibited

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12 The discharge prohibits any attempt to collect from the debtor a debt that
13 has been discharged. For example, a creditor is not permitted to contact a
14 debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach
15 wages or other property, or to take any other action to collect a discharged debt
16 from the debtor. [In a case involving community property:] [There are also
17 special rules that protect certain community property owned by the debtor's
18 spouse, even if that spouse did not file a bankruptcy case.] A creditor who
19 violates this order can be required to pay damages and attorney's fees to the
20 debtor.

21
22 However, a creditor may have the right to enforce a valid lien, such as a
23 mortgage or security interest, against the debtor's property after the
24 bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case.
25 Also, a debtor may voluntarily pay any debt that has been discharged.

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27 Debts That are Discharged

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29 The chapter 7 discharge order eliminates a debtor's legal obligation to pay
30 a debt that is discharged. Most, but not all, types of debts are discharged if
31 the debt existed on the date the bankruptcy case was filed. (If this case was
32 begun under a different chapter of the Bankruptcy Code and converted to chapter
33 7, the discharge applies to debts owed when the bankruptcy case was converted.)

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19 Debts that are Not Discharged

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21 Some of the common types of debts which are not discharged in a chapter 7
22 bankruptcy case are:

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24 a. Debts for most taxes;
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26 b. Debts that are in the nature of alimony, maintenance or support;
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28 c. Debts for most student loans;
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30 d. Debts for most fines, penalties, forfeitures, or criminal
31 restitution obligations;
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33 e. Debts for personal injuries or death caused by the debtor's
operation of a motor vehicle while intoxicated;
f. Some debts which were not properly listed by the debtor;
g. Debts that the bankruptcy court specifically has decided or will
decide in this bankruptcy case are not discharged;
h. Debts for which the debtor has given up the discharge protections by
signing a reaffirmation agreement in compliance with the Bankruptcy
Code requirements for reaffirmation of debts.

34
35 This information is only a general summary of the bankruptcy discharge.
36 There are exceptions to these general rules. Because the law is complicated,
37 you may want to consult an attorney to determine the exact effect of the
38 discharge in this case.